

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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2004 NOV 24 P 3:54

OTIS ELEVATOR COMPANY)
Plaintiff;)
)
v.)
)
LOCAL 4, INTERNATIONAL UNION)
OF ELEVATOR CONSTRUCTORS;)
MICHAEL LANGER, INDIVIDUALLY,)
and as BUSINESS MANAGER;)
KEVIN McGETTIGAN, INDIVIDUALLY,)
and as BUSINESS REPRESENTATIVE;)
STEVE MORSE, INDIVIDUALLY, and)
as BUSINESS REPRESENTATIVE;)
and all others conspiring, acting in concert)
or otherwise participating with them or)
acting in their aid or behalf,)
)
Defendants.

Docket No. DISTRICT COURT
DISTRICT OF MASS.

November 24, 2004

04 CV 12493 RGS

ATTORNEY'S CERTIFICATE

Nathan L. Kaitz hereby certifies as follows:

1. I am an attorney with the firm Morgan, Brown & Joy, LLP, attorneys for Plaintiff Otis Elevator Company. I make this certification pursuant to Fed. R. Civ. P. 65(b)(2) and in support of Plaintiff's Motion for Temporary Restraining Order.

2. At approximately 2:30 p.m. on Friday, May 14, 2004, I telephoned Paul Kelly of the law firm of Segal, Roitman & Coleman, whom I knew to be counsel to Defendant Local 4, International Union of Elevator Constructors ("Local 4"). I told Mr. Kelly that Local 4 was engaged in an illegal work stoppage by refusing to perform overtime repair work on elevators at Otis' clients. I informed him that I was proceeding

to seek an injunction today in Federal Court in Boston. He gave me his telephone number and asked me to call him upon the conclusion of the Court's proceedings.

3. I am not aware that any of the individual Defendants is represented by counsel other than Mr. Kelly.

4. I respectfully submit that no further notice should be required as Otis Elevator Company is sustaining irreparable injury through interference with its daily operations caused by Defendants' work stoppage, which is in effect at this time.

5. No prior application for the relief herein sought by Plaintiff or for similar relief has been made to any court or judge of the United States or of any state.

Dated at Boston, Massachusetts
November 24, 2004

MORGAN, BROWN & JOY, LLP

By: 
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ATTORNEYS FOR PLAINTIFF,
OTIS ELEVATOR COMPANY

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